

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRANK EARL TYSON, #306811,

Petitioner,

v.

CASE NO. 2:22-CV-11632
HON. NANCY G. EDMUNDS

B. CARL,

Respondent.

_____ /

ORDER DENYING MOTION TO EXPEDITE (ECF No. 10)

Michigan prisoner Frank Earl Tyson ("Petitioner") has filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging his Oakland County Circuit Court convictions for felon in possession of a firearm ("felon in possession") and possession of a firearm during the commission of a felony ("felony firearm") for which he was sentenced as a fourth habitual offender to consecutive terms of 58 months to 40 years imprisonment and 5 years imprisonment in 2015. In his pleadings, he raises claims concerning the validity of his sentence, the alleged suppression of evidence, and the effectiveness of trial and appellate counsel. ECF No. 1. The matter is now before the Court on Petitioner's motion to expedite this matter. ECF No. 10.

Petitioner essentially seeks to expedite this matter because his claims have merit. Having considered the matter, the Court finds that Petitioner fails to demonstrate sufficient cause or particular need to expedite this matter. Respondent's answer and the state court record are due in January, 2023. Petitioner may then file a reply to that answer as quickly as he chooses or notify the Court that he does not intend to file a

reply. The Court will then proceed to review the case in a timely fashion within the dictates of the Court's pending caseload. Accordingly, the Court **DENIES** Petitioner's motion to expedite.

IT IS SO ORDERED.

s/ Nancy G. Edmunds
NANCY G. EDMUNDS
UNITED STATES DISTRICT JUDGE

Dated: September 20, 2022